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D. Babin
Appl. No. 10/700,521***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-3, 7, 9-16, 19, and 20 are pending in the application, with claims 1, 7, 16, and 19 being the independent claims. Claims 4-6, 8, 17, and 18 have been cancelled without disclaimer of or prejudice to the subject matter recited therein. New claim 20 has been added. Claim 19 has been withdrawn from consideration. These amendments are believed to introduce no new matter, and their entry is respectfully requested.

Restriction Requirement

Applicant affirms that claims 1-18 were provisionally elected, with traverse. Applicant proposes to amend claim 19 to add that one of the actuation means is located between the other actuation means and the injection nozzle. With such an amendment, claim 19 would include the feature recited in claims 1 and 16. Accordingly, the search for claim 19 would be the same scope as that required by the Examiner for claims 1 and 16.

35 U.S.C. § 103(a) Rejections

Claims 1, 3, 4, 6-11, and 13-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent No. 3,947,175 to Melcher. Claims 4, 6, 8, 17, and 18 have been cancelled, thereby rendering their rejection moot.

Independent claim 1 has been amended above to recite that "the second actuation mechanism is located between the first actuation mechanism and the nozzle body."

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Independent claim 16 as originally filed recites that “the second actuation mechanism [is] positioned between the first actuation mechanism and the nozzle body and configured to allow the first valve gating element to pass therethrough unimpeded.” As recognized by the Examiner, the Melcher patent does not disclose such an arrangement. However, the Examiner states that

Melcher teaches both mechanisms side by side, however, it would have been obvious to one of ordinary skill to modify Melcher so that one mechanism is closer to the mold than the other by changing the placement of the mechanism and changing the length of the connecting rod. Thus, one mechanism would be between the other mechanism and the mold. Melcher already teaches that one of the valve bushing extends.

Office Action, page 4. The Examiner does not provide any motivation to modify the Melcher patent to locate one of the actuation mechanisms between the nozzle body and the other actuation mechanism. The Examiner simply makes the conclusory statement that it would have been obvious for one of ordinary skill in the art to do so, without anything further. A proper obviousness rejection requires motivation to make the proposed change to the reference.

Further, the Examiner did not address the recited feature in independent claim 16 that the second actuation mechanism is “configured to allow the first valve gating element to pass therethrough unimpeded.” To the extent that the Examiner relies on U.S. Patent No. 5,078,589 to Osuna-Diaz, as he did with respect to claim 12, Applicant

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respectfully traverses the rejection. The Osuna-Diaz patent does not disclose the valve gating element of a first actuation mechanism passing through a second actuating mechanism. The Examiner relies on element 78 of Osuna-Diaz as the second actuating mechanism. However, element 78 of Osuna-Diaz is not an actuation mechanism, it is an adjusting rod. Accordingly, even if there were motivation to combine the references, the proposed combination would not disclose all of the features recited in independent claim 16.

Independent claim 7 has been amended above to recite "a melt channel connector provided between the manifold and the nozzle, the melt channel connector having a first connecting melt channel and a second connecting melt channel, wherein the first connecting melt channel is in fluid communication with the first manifold melt channel and the first nozzle melt channel, and the second connecting channel is in fluid communication with the second manifold melt channel and the second nozzle melt channel." This feature was previously recited in claim 8. The Examiner rejected claim 8 over the Melcher patent, but did not provide an explanation of where the Melcher patent discloses the recited melt channel connector. The Melcher patent does not disclose or render obvious the melt channel connector recited in independent claim 7.

For the reasons set forth above, the Melcher patent does not anticipate or render obvious the features recited in independent claims 1, 7, and 16. Further, because claims 3, 4, 9-11, and 13-15 depend from independent claim 1 or 7 and incorporate each and every feature recited in the independent claim from which they depend, the Melcher patent also does not anticipate them or render them obvious for the same reasons

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discussed above with respect to claims 1 and 7. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Claims 2 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent No. 3,947,175 to Melcher in view of JP 2000-033634 to Takeba Yoshinobu. Claim 5 has been cancelled, thereby rendering its rejection moot. Claim 2 depends from independent claim 1, which recites that "the second actuation mechanism is located between the first actuation mechanism and the nozzle body." As explained above with respect to claim 1, the Melcher patent does not disclose or render obvious such an arrangement. Similarly, Takeba does not disclose or render obvious such an arrangement. Takeba discloses the actuation mechanisms simply as boxes, without a physical structure or location. (See FIGS. 1 and 4). Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent No. 3,947,175 to Melcher in U.S. Patent No. 5,078,589 to Osuna-Diaz. As explained above with respect to independent claim 16, the Osuna-Diaz patent does not disclose the valve gating element of a first actuation mechanism passing through a second actuation mechanism. The Examiner relies on element 78 of Osuna-Diaz as the second actuation mechanism. However, element 78 of Osuna-Diaz is not an actuation mechanism, it is an adjusting rod. Accordingly, even if there were motivation to combine the references, the proposed combination would not disclose all of the features recited in claim 12. Further, the combination does not disclose the features of

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independent claim 7, as explained above. Applicant therefore respectfully requests that the rejection be withdrawn.

New Claim 20

New claim 20 depends from and adds features to independent claim 1. Accordingly, it is allowable for at least the same reasons explained above with respect to claim 1.

Conclusion

Applicant believes that the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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